

## CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Nora Chanko	Team: Squad #3	CCRB Case #: 201703719	<input type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Friday, 04/14/2017 6:25 AM	Location of Incident: § 87(2)(b)	Precinct: 69	18 Mo. SOL 10/14/2018	EO SOL 10/14/2018	
Date/Time CV Reported Thu, 05/04/2017 5:22 PM	CV Reported At: IAB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 05/10/2017 10:57 AM		

Complainant/Victim	Type	Home Address
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)
§ 87(2)(b)	§ 87(2)(b)	§ 87(2)(b)

Subject Officer(s)	Shield	TaxID	Command
1. POM John Uske	02554	939622	084 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM John Uske	Abuse: Police Officer John Uske entered and searched § 87(2)(b) in Brooklyn.	§ 87(2)(b)

### Case Summary

This complaint was filed with IAB by § 87(2)(b)'s attorney, on May 4, 2017. This complaint was received by the CCRB on May 10, 2017. At approximately 6:25 a.m. on April 14, 2017, a search warrant requested by PO John Uske of the 84<sup>th</sup> Precinct was executed at the § 87(2)(b) apartment at § 87(2)(b) in Brooklyn (**Allegation A**). Officers determined that the person they were looking for resided in a different apartment in the building, showed § 87(2)(b) a copy of search warrant, and left.

No video footage of the incident was obtained.

### Mediation, Civil and Criminal Histories

- § 87(2)(g)  
§ 87(2)(b) asked the undersigned investigator to speak with § 87(2)(b) regarding the case, and § 87(2)(b) requested that the case be investigated.
- [§ 87(2)(b)] [§§ 86(1)(3)&(4)] [§ 87(2)(c)]
- On § 87(2)(b), a FOIL request confirmed that § 87(2)(b) and § 87(2)(b) filed a Notice of Claim against the City of New York for \$1,000,000 citing assault and battery, false arrest, false imprisonment, prima facie tort, malicious prosecution, violations of civil rights pursuant to 42 USC 1981, 1983, 1985 (3) and negligent and intentional infliction of emotional distress (01 Board Review).

### Civilian and Officer CCRB Histories

- This is § 87(2)(b)'s first complaint with the CCRB (02 Board Review).
- This is § 87(2)(b)'s first complaint with the CCRB (03 Board Review).
- PO Uske has been involved in seven previous CCRB cases resulting in seven allegations being pleaded against him during his 11 year tenure at the NYPD. In cases 201603225 and 201604066, entry and search allegations were pleaded against PO Uske; the first was mediated and the second was exonerated. None of the other allegations were substantiated § 87(2)(g).

### Potential Issues

- § 87(2)(g)
- § 87(2)(g)

### Findings and Recommendations

#### Explanation of Subject Officer Identification

- As PO Uske obtained the search warrant, Allegation A was pleaded against him.

#### Allegations Not Pleased

- **Force and Abuse of Authority:** In the initial complaint to IAB, § 87(2)(b) said that officers "were aiming guns around the place," and during a phone statement § 87(2)(b) said that officers had their guns in front of them, but could not recall how specifically they were holding them. § 87(2)(b)

§ 87(2)(b) also stated that the hinges on § 87(2)(b)'s door were broken. Both § 87(2)(b) and § 87(2)(b) stated that officers placed her in handcuffs and detained her while executing the warrant. § 87(2)(g) they have been subsumed under Allegation A.

**Allegation A – Abuse of Authority: Police Officer John Uske entered and searched § 87(2)(b) in Brooklyn.**

§ 87(2)(b) stated that at approximately 6:25 a.m. on April 14, 2017, she was in her § 87(2)(b) apartment at § 87(2)(b) speaking to her partner, § 87(2)(b) on the phone (05 Board Review). § 87(2)(b) heard someone at the door, and walked towards the front door from her bedroom. § 87(2)(b)'s front door was “busted” open and approximately seven officers entered her apartment with their guns in their hands. § 87(2)(b) was unable to say how the officers were holding their weapons. § 87(2)(b) screamed and put her hands up, and officers told § 87(2)(b) to shut up and be quiet, then told her to go to the living room. § 87(2)(b) complied and was handcuffed. Officers walked through the apartment. Officers asked § 87(2)(b) who else lived there, and she said David lived with her. Officers asked if § 87(2)(b) knew a § 87(2)(b) and she said that he lived in the basement apartment and directed the officers to that location. Some officers went downstairs to the basement apartment, and upon return showed § 87(2)(b) a long piece of paper, which she could not read without her glasses. An officer told § 87(2)(b) that it was a search warrant, and she asked what the name on the warrant was. The officer said it was for § 87(2)(b), and § 87(2)(b) saw § 87(2)(b) name and the address § 87(2)(b). § 87(2)(b) added that § 87(2)(b)'s door was damaged and repaired at her expense (04 Board Review).

Search Warrant § 87(2)(b) signed on § 87(2)(b), by the Honorable § 87(2)(b), authorized officers to enter and search “§ 87(2)(b) § 87(2)(b) without knocking in search of § 87(2)(b) (06 Board Review).

Criminal Procedure Law 690.05 allows an officer in possession of a search warrant to conduct a search of designated premises (07 Board Review).

§ 87(2)(g)

Squad: 3

Investigator: \_\_\_\_\_  
Signature Print Date

Squad Leader: \_\_\_\_\_  
Title/Signature Print Date

Reviewer: \_\_\_\_\_  
Title/Signature Print Date